

TIVERTON CHARTER REVIEW COMMISSION

Regular meeting minutes: November 14, 2007

1: **Call to order**

Chairman Cecil Leonard called the meeting to order at 7:03 pm at the Tiverton Town Hall.

Members present: Laura Epke, Cecil Leonard, Frank Marshall, Ray Medeiros, Deb Pallasch, Stanley Zeramby, @8:05pm – Bob Koohy

Members absent: Richard Joslin, Diane Harris

2: **Approval of minutes**

Motion made by L. Epke, seconded by S. Zeramby, to approve minutes for Oct. 24, 2007. Motion passed unanimously.

3. **Receive comments from invited groups/individuals**

Planning Board:

Rosemary Eva (spoke as citizen, not representing board):

- To facilitate better communication throughout town government and with public, town should have a quarterly “meeting of the minds” including such groups as Town Council, School Committee, Town Administrator, Town Clerk and various boards and commissions.
- All boards and commissions should have yearly briefing from Town Solicitor on laws re: open meetings/open records/minutes, Robert’s rules, etc.
- Clarify that planning board should be independent (comment by Pat Cote as well)
- Suggest some type of “citizens group” to enforce rules/regs on books with the authority to impose fines for infractions.

Economic Development Commission:

No one present

School Department:

William Rearick, Superintendent:

- FTM should not be abolished
- Opposed to the reduction of the current FTM quorum

- Would support a move of the FTM to Saturday at 3 or 4 pm (Reiterated by Pat Cote)
- Given strict budget constraints and the timing of when accurate or more predictable info is received or available, recommend moving date by which school committee must submit its preliminary budget to the budget committee until the 3rd week in Feb. In conjunction with that move, would recommend that the FTM be moved to the 3rd week in June.
- Recommend term of office for School Committee members not be changed to 2 years from 4 years due to the time needed to learn the “in and outs” of the school operations and applicable state regulations (Also repeated by Pat Cote as former SC member)
- Important to maintain a fail safe when suggesting any alternative to FTM

Sally Black:

- Whatever FTM proposal presented should ensure a safety valve for the citizens of Tiverton.
- Need to maintain the checks and balances of the current system, which should continue to include the Budget committee

4. Public Input

Other Public Comment:

Justin Katz:

- Favors FTM as useful mechanism on how town operates. Feels budget constraints will increase participation
- Not in favor of having quorum set so low as to allow special interests to dominate
- In favor of establishing a way to increase citizen’s participation in contract approval before numbers are agreed to/set
- Favors abolishing the requirement for nonpartisan office holders as having clearly identified parties in an election give a clear alternative via which dissatisfied citizens can express that dissatisfaction and can create an atmosphere of constructive debate

Jeff Caron (Speaking as resident/budget committee member and prior charter review member):

- Recommends that the decision to keep or abolish the FTM be made at the ballot box in November
- Believes the budget committee as an elected non-partisan body has tremendous value in the current process and should be maintained in any proposed alternative
- Important to have a stop gap for citizens override with any proposal

Alex Cote:

- June time frame would be better for final budget given the amount of information needed and reviewed

5. Public Forum publicity

Was agreed by consensus of Commission that a public forum would not be held in December due to limited time to advertise and holiday season. Public forum will be held on February 27, 2008. Methods of advertising to increase public participation to be discussed at next meeting.

6. Preliminary Commission discussion re: input for proposed changes

A. Motion by F. Marshall, seconded by L. Epke, to remove the following proposals from consideration at this time:

- #6 - Decrease the required electors for a quorum at FTM from 301 to 101
- #7 - Move FTM from Wed. night to Sat. during the day
- #8 - Modify Section 307(a) to request a vote by ballot if 1/5 of the electors make the request (would replace majority must request).
- #9 - Council or Town Clerk makes final decision on where the FTM will be held

Motion passed unanimously.

B. Motion by F. Marshall, seconded by D. Pallasch for discussion proposes, to remove the following proposal from consideration at this time:

- #2 – Establish a Historical Commission in Charter

Voting: In Favor- B. Koohey, R. Medieros, F. Marshall. Against- S. Zeramby, L. Epke, C. Leonard. Abstain- D. Pallasch. Motion failed

C. Motion by D. Pallasch, seconded by F. Marshall, to remove the following proposal from consideration at this time:

- #11 – Two-year terms for all elected bodies

Motion passed unanimously

D. Motion by F. Marshall, seconded by C. Leonard, to remove the following proposal from consideration at this time:

- #3 – Address paragraph 503.1 (Administrator power and duties) to more clearly define the roles of dept. heads to lessen their involvement once the

budget has been accepted by Council and forwarded to the Budget Committee.
(Possibly address in Budget Committee section 703 as well)

Motion passed unanimously

E. Motion by C. Leonard, seconded by F. Marshall, to remove the following proposal from consideration at this time:

- #10 – Non-binding referendum with signature of “X” number of electors be allowed to be placed on the ballot by electors for anything going into the Industrial Park or for any other item electors feel the Council should seek citizen guidance on before making a final decision.

Voting: In Favor- B. Koohy, C. Leonard, F. Marshall. Against- D. Pallasch, L. Epke, R. Medeiros. Abstain - S. Zeramby. Motion failed

F. Motion by F. Marshall, seconded by C. Leonard, to remove the following proposal from consideration at this time:

- #14 – Mandate for nonpartisanship be removed from the Charter where allowable per the Constitution (i.e., Charter Commission must be nonpartisan.)

Voting: In Favor- B. Koohy, C. Leonard, F. Marshall, L. Epke, R. Medeiros, S. Zeramby. Opposed- D. Pallasch. Motion passed.

G. Motion by F. Marshall to remove #12 from consideration at this time. No second.

7. Addt'l Information on Other Town Methods for Budget Submission

F. Marshall to contact someone from Portsmouth to invite them to appear before the Commission to discuss their recent experience with changes to their Charter as it relates to the FTM.

8. Other Business

- Commission agreed by consent that revised proposal sheet would become Commission's working document. No other items will be added to this list without vote of the board.
- Regarding the prior failed vote in the 1990's to eliminate the FTM, F. Marshall made the following statement:

This item on the ballot that everyone is referring to from 1994 regarding the townspeople overwhelmingly saying that they didn't want the FTM to go away, at the time created great controversy between the existing Charter Review Committee. The ballot question was confusing and voters were left no alternative

but to vote it down. That vote in itself should not harangue the current Charter Commission now.

9. Adjournment

The Commission's November 14, 2007 regular meeting was adjourned at 9:16 pm.

Minutes recorded and compiled by Deborah Pallasch, Secretary.